

Remarks:

The Examiner has rejected claims 10–35. **Claims 1–9** were previously withdrawn as the result of an earlier restriction requirement and **are being canceled** without prejudice or disclaimer. Claims 25 and 34 were previously canceled. No claim is being amended. As a result, claims 10–24, 26–33, and 35 are pending for examination with claims 10 and 23 being independent claims.

Rejections under 35 U.S.C. §103

The Examiner has rejected **claims 10, 12–14, 16–23, and 26–33** under 35 U.S.C. §103(a) as being unpatentable over Viswanath et al (US Publication No. 2007/0118670) (“Viswanath”) in view of “Communicating Using Multiple Wireless Interfaces” by Kameswari Chebrolu et al. (“Chebrolu”) and in further view of “Dynamic Parallel Access to Replicated Content in the Internet” by Pablo Rodriguez et al. (“Rodriguez”) and in further view of Greer et al. (US Patent No. 5,978,828) (“Greer”). Further, the Examiner has rejected **claims 11 and 24** under 35 U.S.C. §103(a) as being unpatentable over Viswanath in view of Chebrolu and in further view of Rodriguez and in further view of Greer and in further view of Boehm (US Publication No. 2004/0085944) (“Boehm”). Further, the Examiner has rejected **claim 15** under 35 U.S.C. §103(a) as being unpatentable over Viswanath in view of Chebrolu and in further view of Rodriguez and in further view of Greer and in further view of Nelson (US Publication No. 2003/0055975) (“Nelson”). Further, the Examiner has rejected **claim 35** under 35 U.S.C. §103(a) as being unpatentable over Viswanath in view of Chebrolu and in further view of Rodriguez and in

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further view of Greer and in further view of Holder (US Publication No. 2003/0208554) (“Holder”). Applicants respectfully traverse.

In particular, the Examiner asserts that Vishwanath teaches “transmitting an outgoing request, wherein each outgoing request specifies the available wireless network interface” (OA, pg. 4, lines 4–7) and, for support, cites Vishwanath, paragraphs [0016] and [0041]. But Applicants respectfully point out that the claim language includes features not mentioned by the Examiner. In particular, the **claim 10** calls for:

“transmitting an outgoing request for each object in the virtual resource, wherein each outgoing request specifies the available wireless network interface assigned to the corresponding object in the virtual resource, and wherein the objects in the virtual resource are requested via a plurality of the available wireless network interfaces.”

Applicants submit that Vishwanatah, even in view of Chebrolu, Rodriquez, and/or Greer, does not teach, disclose, or suggest the claimed features.

First, the Examiner asserts that Vishwanath teaches “transmitting an outgoing request, wherein each outgoing request specifies the available wireless network interface” (OA, pg. 4, lines 4–7) and, for support, cites Vishwanath, paragraphs [0016] and [0041]. Applicants respectfully traverse. As noted by the Examiner, Vishwanath teaches:

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“Upon receiving network access request 28, load balance unit 22 determines one or more gateways 20 providing access to requested data network 16 and selects one of these gateways 20 to which to forward network access request 28.” (Vishwanath, portion para [0016]; emphasis added)

As such, Vishwanath may teach a “network access request” and selecting a particular “gateway” to which to forward the “network access request”. Note that the request is specifically a “*network access request*”. But this is very different than Applicants’ claimed “outgoing *request for each object in the virtual resource*” which is not the same as a request to access a network. In fact, Vishwanath is silent with regards to a “request for each object in the virtual resource”. Nor do Chebrolu, Rodriquez, and/or Greer teach such claimed features.

With respect to Chebrolu, the Examiner asserts that Chebrolu’s “packet” is a “block of data” that the Examiner seems to equate to Applicants’ “object in a virtual resource” (see FOA, pg. 5, lines 8–13) and, for support, references Chebrolu, section IV. Scheduling Algorithm. Applicants respectfully traverse. Nowhere in the cited section does Chebrolu suggest the claimed “transmitting an outgoing *request for each object in the virtual resource*” wherein each request is a “request for each object in the virtual resource”. Further, Chebrolu provides an example of dividing video frames into packets which are scheduled over multiple links for transmission to a mobile receiver (Chebrolu, section VI. Simulation Results). But nowhere does Chebrolu suggest that the mobile receiver transmits a request *for each packet* of a divided video frame or, in other words, nowhere does Chebrolu suggest the claimed “transmitting an outgoing request for each

object in the virtual resource”. Nor do Rodriquez and/or Greer remedy the deficiencies in Vishwanath and/or Chebrolu.

Accordingly, Vishwanath, even in view of Chebrolu, Rodriquez, and/or Greer, cannot be considered to teach “transmitting an outgoing request for each object in the virtual resource” as recited in claim 10. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

Second, the Examiner asserts that Vishwanath teaches “wherein each outgoing request specifies the available wireless network interface” stating “wherein each outgoing request includes the IP address of the selected gateway” (OA, pg. 4, lines 4–7) and, for support, cites Vishwanath, paragraphs [0016] and [0041]. Applicants respectfully traverse and point out that the claim language includes features not mentioned by the Examiner. In particular, the **claim 10** calls for:

“...wherein each outgoing request specifies the available wireless network interface assigned to the corresponding object in the virtual resource,...”

As noted by the Examiner, Vishwanath teaches:

“To identify gateways 20 that link to requested data network 16, load balance unit 22 accesses a local domain name server 30 using the domain name of requested data network 16. Similar to domain name server 26, local domain name server 30 translates domain names into IP addresses.” (Vishwanath, portion para [0016]; emphasis added)

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As such, Vishwanath may teach an IP address associated with a request, but Vishwanath does not teach, disclose, or suggest the claimed “wherein each outgoing *request specifies the available wireless network interface assigned to the corresponding object* in the virtual resource”. Nor do Chebrolu, Rodriquez, and/or Greer remedy this deficiency in Vishwanath. Accordingly, Vishwanath, even in view of Chebrolu, Rodriquez, and/or Greer, cannot be considered to teach the features recited in **claim 10**. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

Accordingly, the Applicants submit that **claim 10** is not unpatentable over Vishwanath, even in view of Chebrolu, Rodrigues, Greer, Boehm, Nelson, Rodriguez, and/or Holder. Applicants further submit that **claim 23** is not unpatentable over the cited art for at least the same reasons as those detailed for claim 10. As such, the Applicant respectfully request that the Examiner withdraw the rejection and allow the claims.

Claims 11–22, 24, 26–33, and 35 are dependent on either claim 10 or 23. As such, claims 11–22, 24, 26–33, and 35 are believed allowable based at least in part upon claim 10 or 35.

Request for Allowance

Accordingly, allowance of the above-referenced application is requested.

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Conclusion:

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above application is requested. Based on the foregoing, Applicant respectfully requests that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's representative at the telephone number listed below.

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If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,
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Date: January 21, 2009

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I hereby certify that this correspondence is being electronically deposited with the USPTO via EFS-Web on the date shown below:

January 21, 2009
Date

/Noemi Tovar/
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